

REMARKS

Reconsideration of the application is respectfully requested.

I. Status of the Claims

Claims 1 - 7 are presently pending. Claim 1 is amended, and new claim 8 is added. No new matter is added. Support for the amendments may be found, for example, with reference to Applicant's specification at page 2, line 25 - page 3, line 13 and page 9, line 9 - page 10, line 4.

II. Rejections under 35 U.S.C. § 103

Claims 1 - 7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,604,982 to Croteau-Brooks ("Croteau-Brooks") in view of U.S. Patent No. 6,024,627 to Tilbor et al. ("Tilbor"). Applicant amends independent claim 1 to further clarify the nature of his invention, and respectfully traverses this rejection.

In amended independent claim 1, Applicant claims:

1. An automobile model comprising:

a pair of left and right driven wheels which are independently driven by different driving sources;

a pair of left and right steered wheels; and

a steered wheel-supporting mechanism which supports the steered wheels such that each steered wheel is adapted to turn around a predetermined steering axis and such that the steered wheels are adapted to turn only in the same direction in association with each other,

wherein the steering axis is inclined with respect to a vertical direction such that an upper portion of the steering axis is located rearward of a lower portion of the steering axis in a traveling direction, and

wherein the steered wheel-supporting mechanism is further configured such that, when a speed difference is generated between the driven wheels to turn

Croteau-Brooks discloses a suspension device which accommodates a height of a toy vehicle chassis to be quickly adjusted in relation to the wheels (see, e.g., abstract of Croteau-Brooks). The Examiner acknowledges that Croteau-Brooks does not teach Applicant's claimed left and right driven wheels which are independently driven by different driving sources, but submits that these features are taught by Tilbor. In all other aspects, the Examiner argues that the features of Applicant's independent claim 1 are disclosed by Croteau-Brooks. Applicant respectfully disagrees.

With reference to FIG. 1 of Croteau-Brooks, the Examiner suggests that wheels 28 and support member 18 respectively correspond to Applicant's claimed steered wheels and steered wheel-supporting mechanism. As can be seen with reference to Croteau-Brooks' FIGs. 1 and 6, support members 18 interconnect wheels 28 to chassis 14 in a manner that permits upward and downward travel of wheels 28 relative to chassis 14.

The Examiner suggests that such travel by the wheels 28 in the suspension device of Croteau-Brooks constitutes a “steering” of the wheels. Even accepting *arguendo* this rather unconventional interpretation as to the plain meaning of the term “steering,” Applicant submits that Croteau-Brooks, in sharp contrast to the model claimed by Applicant’s amended independent claim 1, never-the-less fails to teach or suggest that the wheels 28 are necessarily steered such that to turn only in the same direction in association with each other. As illustrated for example by FIGs. 6 - 8 of Croteau-Brooks, the disclosed suspension device suspends each of the wheels 28 independently, such that they may be moved both in the same and in opposing directions. Moreover, in contrast to Applicant’s claimed device, the suspension device disclosed

by Croteau-Brooks is incapable of moving the wheels 28 to turn in a turning direction of the
claimed model.

Tilbor discloses a toy vehicle having large rear wheels which are driven by different driving sources in order to produce gyroscopic effects (see, e.g., abstract of Tilbor). With reference to FIGs. 1 and 2 of Tilbor, front wheels 24 are provided on lateral sides 20, 22 of the vehicle, supported for free rotation at the outer end of a pair of ribbed reinforced bosses 26a, 26b, by a shaft 27. Like Croteau-Brooks, Tilbor nowhere teaches or otherwise indicates that this support structure for front wheels 24 enables the front wheels 24 to be adapted to turn only in the same direction in association with each other, and in a turning direction of the automobile model without any additional steering driving force by a reaction force received from a ground-contact surface.

Accordingly, for at least these reasons, Applicant respectfully submits that Applicant's invention as claimed in independent claim 1 is not made obvious by the cited references, and stands in condition for allowance. As claims 2 - 7 each depend directly or indirectly from allowable claim 1, Applicant further submits that dependent claims 2 - 7 are also allowable for at least this reason.

Applicant therefore respectfully requests that the rejection of claims 1 - 7 under 35 U.S.C. § 103(a) be withdrawn.

III. New Claim

Applicant adds new claim 8. As new claim 8 depends from allowable independent claim 1, Applicant respectfully submits that new claim 8 is also allowable for at least this reason.

CONCLUSION

In view of the above amendments and remarks, applicant believes the pending application is in condition for allowance.

If there are any issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Dated: December 14, 2007

Respectfully submitted,

By 

Thomas J. Bean

Registration No.: 44,528

DARBY & DARBY P.C.

P.O. Box 770

Church Street Station

New York, New York 10008-0770

(212) 527-7700

(212) 527-7701 (Fax)

Attorneys/Agents For Applicant